

Barry McTiernan & Wedinger, P.C.  
COUNSELORS AT LAW

10 Franklin Avenue  
Edison, New Jersey 08837  
P: 732-738-5600  
F: 732-738-7518  
bmctwlaw.com

New York, NY | White Plains, NY | Rochester, NY | Edison, NJ | Philadelphia, PA

May 12, 2021

Honorable Katherine Polk Failla  
United States District Court  
Southern District of New York

RE: *Bautista v. Kostantyn Didorenko*  
Civil Action No.: 1:20-cv-10903-KPF  
Our File No.: MS-R13667

Dear Judge Polk-Failla:

This office represent Defendant Kostantyn Didorenko in the above referenced matter. We have been advised by attorney Bruce Levitt, Esq. that my client has filed a petition for bankruptcy in the Bankruptcy Court in Newark, New Jersey. Please see bankruptcy notice attached.

I believe that an automatic stay is now in place and as such, the Conference scheduled for May 12, 2021 should be adjourned.

I shall await the Court's response and thank you for your courtesies and assistance herein.

Respectfully submitted,  
BARRY, McTIERNAN & WEDINGER, P.C.



Richard W. Wedinger, Esq.

RWW/dt  
MS-R13667/corres/CRT051121

cc: All counsel of record (via e-filing)

Information to identify the case:

Debtor 1: Kostiantyn Didorenko  
First Name Middle Name Last Name  
Social Security number or ITIN: xxx-xx-7597  
EIN: \_\_\_\_-\_\_\_\_-\_\_\_\_  
Debtor 2: \_\_\_\_\_  
(Spouse, if filing) First Name Middle Name Last Name  
Social Security number or ITIN: \_\_\_\_-\_\_\_\_-\_\_\_\_  
EIN: \_\_\_\_-\_\_\_\_-\_\_\_\_  
United States Bankruptcy Court: District of New Jersey  
Date case filed for chapter: 7 4/26/21  
Case number: 21-13377-JKS

**Official Form 309A (For Individuals or Joint Debtors)**  
**Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline**

10/20

For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

Undeliverable notices will be sent by return mail to the debtor. It is the debtor's responsibility to obtain the party's correct address, resend the returned notice, and notify this office of the party's change of address. Failure to provide all parties with a copy of this notice may adversely affect the debtor as provided by the Bankruptcy Code.

	About Debtor 1:	About Debtor 2:
1. Debtor's full name	Kostiantyn Didorenko	
2. All other names used in the last 8 years		
3. Address	100 Warren Street Apartment 1814 Jersey City, NJ 07302	
4. Debtor's attorney Name and address	Bruce H Levitt Levitt & Slafkes, P.C. 515 Valley Street, Suite 140 Maplewood, NJ 07040	Contact phone 973-313-1200 Email: <a href="mailto:blevitt@levittslafkes.com">blevitt@levittslafkes.com</a>
5. Bankruptcy trustee Name and address	Jeffrey Thomas Testa McCarter & English, LLP McCarter & English Four Gateway Center 100 Mulberry Street Newark, NJ 07102	Contact phone (973) 639-7939

For more information, see page 2 >





Debtor **Kostiantyn Didorenko**

Case number **21-13377-JKS**

**6. Bankruptcy clerk's office**

Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <https://pacer.uscourts.gov>. (800) 676-6856

MLK Jr Federal Building  
50 Walnut Street  
Newark, NJ 07102  
Additional information may be available at the Court's Web Site:  
[www.njb.uscourts.gov](http://www.njb.uscourts.gov).

Hours open: 8:30 AM – 4:00 p.m.,  
Monday – Friday (except holidays)

Contact phone 973-645-4764

Date: 4/27/21

**7. Meeting of creditors**

**May 21, 2021 at 10:00 AM**

Location:

**Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.**

The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.

**Section 341 Meeting will be conducted by telephone. Please consult the docket or contact the trustee appointed to the case for access or call-in information.**

All individual debtors must provide picture identification and proof of social security number to the trustee at the meeting of creditors. Failure to do so may result in your case being dismissed.

**8. Presumption of abuse**

The presumption of abuse does not arise.

If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). Debtors may rebut the presumption by showing special circumstances.

**9. Deadlines**

The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.

**File by the deadline to object to discharge or to challenge whether certain debts are dischargeable:**

**Filing deadline: 7/20/21**

**You must file a complaint:**

- if you assert that the debtor is not entitled to receive a discharge of any debts under any of the subdivisions of 11 U.S.C. § 727(a)(2) through (7), or
- if you want to have a debt excepted from discharge under 11 U.S.C § 523(a)(2), (4), or (6).

**You must file a motion:**

- if you assert that the discharge should be denied under § 727(a)(8) or (9).

**WRITING A LETTER TO THE COURT OR THE JUDGE IS NOT A SUBSTITUTE FOR FILING AN ADVERSARY COMPLAINT OBJECTING TO DISCHARGE OR DISCHARGEABILITY. IN NO CIRCUMSTANCE WILL WRITING A LETTER PROTECT YOUR RIGHTS.**

**Deadline to object to exemptions:**

The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.

**Filing deadline:** 30 days after the conclusion of the meeting of creditors

**10. Proof of claim**

Please do not file a proof of claim unless you receive a notice to do so.

No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.

**11. Creditors with a foreign address**

If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.

**12. Exempt property**

The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <https://pacer.uscourts.gov>. If you believe that the law does not authorize an exemption that the debtors claim, you may file an objection. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 9.